

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

DARREL MINNICK,

Plaintiff,

v.

JO ANNE B. BARNHART, Commissioner,  
Social Security Administration,

Defendant.

Case No. C04-1749-RSM-JPD

ORDER OF REMAND

The Court, having reviewed plaintiff's complaint, all papers and exhibits in support and in opposition to that complaint, the Report and Recommendation of the Honorable James P. Donohue, United States Magistrate Judge, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation;
- (2) The final decision of the Commissioner is REVERSED and this matter is REMANDED to the Social Security Administration for the purpose of awarding benefits; and
- (3) The Clerk is directed to send copies of this Order to the parties and to Judge Donohue.

DATED this 18 day of October, 2005.



RICARDO S. MARTINEZ  
UNITED STATES DISTRICT JUDGE